

SENATE BILL REPORT

SB 5977

As Reported By Senate Committee On:
Government Operations, March 1, 1995
Ways & Means, March 3, 1995

Title: An act relating to forensic investigations.

Brief Description: Revising administration of forensic investigations.

Sponsors: Senators Loveland, Haugen, Long, Smith and Winsley.

Brief History:

Committee Activity: Government Operations: 2/28/95, 3/1/95 [DPS].
Ways & Means: 3/2/95; 3/3/95 [DPS (GO)].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: That Substitute Senate Bill No. 5977 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Drew, Hale, Heavey, McCaslin and Winsley.

Staff: Diane Smith (786-7410)

Background: The Washington State Crime Lab is part of the Washington State Patrol. Its purpose is to analyze physical evidence relating to any crime and to train local law enforcement personnel. The Washington State Advisory Council on Criminal Justice Services helps the crime lab use its resources efficiently.

The Washington State Toxicological Laboratory is established at the University of Washington Medical School under the direction of the State Toxicologist. It performs the toxicologic procedures requested by the coroners, medical examiners and prosecuting attorneys. It is funded from class H liquor license fees in the amount of \$150,000 or 1.75 percent of these fees, whichever is greater.

The Washington State Death Investigations Council has several functions incidental to fostering improved death investigations as part of the state's criminal justice system. One of these functions is to preserve and enhance the Toxicology Laboratory. Another function is to fund the state's death investigation system.

Summary of Substitute Bill: The Death Investigations Council is renamed the Forensic Investigations Council. It replaces the Advisory Council on Criminal Justice Services as the assisting entity of the Washington State Patrol crime lab. The crime lab is made its number one priority. It is given the mandate to participate and to approve the crime lab budget and the Toxicological Laboratory budget before they are submitted to OFM.

The membership of the council is increased from nine to 10. Two current members are removed and three new members are added. They are nominated from candidates offered by their various interest groups.

Up to 5 percent of the motor vehicle excise tax is appropriated for the enhancement of the State Patrol crime lab. This appropriation reduces the total motor vehicle excise tax by 5 percent.

Substitute Bill Compared to Original Bill: The council does not have the responsibility to prepare and submit the crime lab and Toxicological Lab budgets in the substitute bill. It must be actively involved in the preparation of the budgets and approve them before their final submission to the Office of Financial Management.

The council's membership is increased by one, bringing the total to 10 in the substitute, with six being a quorum.

Appropriation: None.

Fiscal Note: Requested on February 21, 1995.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill will give the local governments a voice in their criminal justice expenditure decisions. It consolidates oversight of two crucial state laboratories.

Testimony Against: None.

Testified: Gary Lowe, Washington State Association of Counties (pro); Tom McBride, Washington Association of Prosecuting Attorneys (pro); Debbie Wilke, Washington Association of County Officials for Death Investigations Council (pro); Randy Hamilton, Washington Association of Sheriffs and Police Chiefs (pro).

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5977 as recommended by Committee on Government Operations be substituted therefor, and the substitute bill do pass.

Signed by Senators Rinehart, Chair; Loveland, Vice Chair; Cantu, Drew, Finkbeiner, Fraser, Gaspard, Hargrove, Hochstatter, Johnson, Long, McDonald, Moyer, Pelz, Roach, Sheldon, Snyder, Spanel, Strannigan, Sutherland, West, Winsley and Wojahn.

Staff: Linda Brownell (786-7913)

Testimony For: This bill would provide for a good partnership between state and local priorities for the crime labs and achieves a compromise on the lab and how it is funded. It will allow for long-term improvements needed for the labs.

Testimony Against: None.

Testified: Tom McBride, Washington Association of Prosecuting Attorneys (pro); Debbie Wilke, WACO for Death Investigations Council (pro); Randy Hamilton, Chehalis Police Dept., for Washington Association of Sheriffs and Police Chiefs (pro); Gary Lowe, WSAC (pro).